

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE PROCESSED EGG PRODUCTS	:	
ANTITRUST LITIGATION	:	MDL No. 2002
	:	08-md-02002
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THIS DOCUMENT APPLIES TO:	:	
All Indirect Purchaser Actions	:	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON COUNT III
OF THE FIFTH AMENDED COMPLAINT (CLAIMS UNDER CALIFORNIA LAW)**

For the reasons set forth in the accompanying *Memorandum in Support of Defendants' Motion for Summary Judgment on Count III of the Fifth Amended Complaint (Claims Under California Law)*, the undersigned Defendants, by and through their counsel, hereby move the Court for an Order entering judgment in their favor and against Plaintiffs on Count III (Claims Under California Law) of the Fifth Amended Complaint (Dkt. #866). The *Memorandum* and its exhibits are being filed under seal. A proposed order is attached to this motion as **Exhibit A**.

Pursuant to Local Rule of Civil Procedure 7.1, Defendants request oral argument on this Motion.

Dated: July 2, 2015

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CERTIFICATE OF SERVICE

I, Nathan P. Eimer, an attorney, hereby certify that on July 2, 2015, a true and correct copy of **DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON COUNT III OF THE FIFTH AMENDED COMPLAINT (CLAIMS UNDER CALIFORNIA LAW)** was filed with the Clerk of the Court, per the Local Rules, and will be available for viewing and downloading via the CM/ECF system and the CM/ECF system will send notification of such filing to all attorneys of record.

Dated: July 2, 2015

By: /s/ Nathan P. Eimer
Nathan P. Eimer